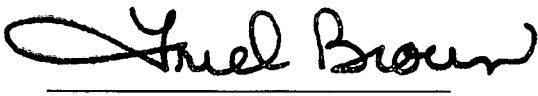


I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

FILED NOV 12 2002

By: 

H.J.R. No. 16

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize a county or a  
2 city or town to establish an ad valorem tax freeze on residence  
3 homesteads of the elderly and their spouses.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b, Article VIII, Texas Constitution,  
6 is amended by adding Subsection (h) to read as follows:

7 (h) The governing body of a county or a city or town by  
8 official action may provide that if a person sixty-five (65) years  
9 of age or older receives a residence homestead exemption prescribed  
10 or authorized by this section, the total amount of ad valorem taxes  
11 imposed on that homestead by the county or the city or town may not  
12 be increased while it remains the residence homestead of that  
13 person or that person's spouse who is sixty-five (65) years of age  
14 or older and receives a residence homestead exemption on the  
15 homestead. As an alternative, on receipt of a petition signed by  
16 five percent (5%) of the registered voters of the county or of the  
17 city or town, the governing body of the county or the city or town  
18 shall call an election to determine by majority vote whether to  
19 establish a tax limitation provided by this subsection. If a county  
20 or a city or town establishes a tax limitation provided by this  
21 subsection and a person sixty-five (65) years of age or older dies  
22 in a year in which the person received a residence homestead  
23 exemption, the total amount of ad valorem taxes imposed on the  
24 homestead by the county or the city or town may not be increased

1 while it remains the residence homestead of that person's surviving  
2 spouse if the spouse is fifty-five (55) years of age or older at the  
3 time of the person's death, subject to any exceptions provided by  
4 general law. The legislature, by general law, may provide for the  
5 transfer of all or a proportionate amount of a tax limitation  
6 provided by this subsection for a person who qualifies for the  
7 limitation and establishes a different residence homestead within  
8 the same county or within the same city or town. A county or a city  
9 or town that establishes a tax limitation under this subsection  
10 must comply with a law providing for the transfer of the limitation,  
11 even if the legislature enacts the law subsequent to the county's or  
12 the city or town's establishment of the limitation. Taxes  
13 otherwise limited by a county or a city or town under this  
14 subsection may be increased to the extent the value of the homestead  
15 is increased by improvements other than repairs and other than  
16 improvements made to comply with governmental requirements and  
17 except as may be consistent with the transfer of a tax limitation  
18 under a law authorized by this subsection. The governing body of a  
19 county or a city or town may not repeal or rescind a tax limitation  
20 established under this subsection.

21       SECTION 2.   This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held on November 4,  
23 2003. The ballot shall be printed to provide for voting for or  
24 against the proposition: "The constitutional amendment to permit  
25 counties, cities, and towns to establish an ad valorem tax freeze on  
26 residence homesteads of the elderly and their spouses."

# HOUSE COMMITTEE REPORT

03 APR 23 PM 3:05  
HOUSE OF REPRESENTATIVES

1<sup>st</sup> Printing

By: Brown of Brazos, Brown of Kaufman,  
Gattis, Chavez, et al.

H.J.R. No. 16

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26 residence homesteads of the elderly and their spouses."

COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

APRIL 14, 2003  
(date)

Sir:

We, your COMMITTEE ON LOCAL GOVERNMENT WAYS AND MEANS  
to whom was referred HJR 16 have had the same under consideration and beg to report  
back with the recommendation that it

( ☒ ) do pass, without amendment.  
( ☐ ) do pass, with amendment(s).  
( ☐ ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

( ☒ ) yes ( ☐ ) no A fiscal note was requested.  
( ☐ ) yes ( ☒ ) no A criminal justice policy impact statement was requested.  
( ☐ ) yes ( ☒ ) no An equalized educational funding impact statement was requested.  
( ☐ ) yes ( ☒ ) no An actuarial analysis was requested.  
( ☐ ) yes ( ☒ ) no A water development policy impact statement was requested.  
( ☒ ) yes ( ☐ ) no A tax equity note was requested.

( ☐ ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hill, Chair	<input checked="" type="checkbox"/>			
Hegar, Vice-chair	<input checked="" type="checkbox"/>			
Laubenberg	<input checked="" type="checkbox"/>			
McReynolds	<input checked="" type="checkbox"/>			
Mowery	<input checked="" type="checkbox"/>			
Puente	<input checked="" type="checkbox"/>			
Quintanilla	<input checked="" type="checkbox"/>			

Total      7      aye  
                 0      nay  
                 0      present, not voting  
                 0      absent

Tom Hill  
CHAIR

## **BILL ANALYSIS**

H.J.R. 16

By: Brown, Fred

Local Government Ways and Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 1978, Texas citizens voted to freeze the amount of ad valorem taxes on homesteads of the elderly. Ten years later, in 1988, Texas citizens voted to extend the ad valorem tax freeze to surviving spouses of the elderly and to allow the elderly and their surviving spouses to port their tax freeze of ad valorem taxation from one taxing jurisdiction to another. The freeze on such taxes only applies to taxes imposed by school districts. As proposed, House Joint Resolution 16 provides a local option for a county or municipality to adopt an ad valorem tax limitation on homesteads of the elderly and their surviving spouses.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Joint Resolution 16 would amend Section 1-b, Article VIII of the Texas Constitution to authorize the governing body of a county or a city or town, by official action, to provide a residence homestead exemption to persons 65 years of age or older. The total amount of ad valorem taxes imposed on that homestead by the county or the city or town is prohibited from being increased while it remains the residence homestead of that person or that person's spouse who is 65 years of age or older and receives a residence homestead exemption.

Alternatively, the resolution requires a governing body, on receipt of a petition signed by five percent of the registered voters of the county or of the city or town, to call an election to determine by majority vote whether to establish a tax limitation.

If a limitation is established and if a person 65 years of age or older dies in a year in which the person received a residence homestead exemption, the total amount of ad valorem taxes imposed on the homestead is prohibited from being increased while it remains the residence homestead of that person's surviving spouse if the spouse is 55 years of age or older at the time of the person's death, subject to any exceptions provided by general law.

The resolution authorizes the legislature, by general law, to provide for the transfer of all or a proportionate amount of a tax limitation for a person who qualifies for the limitation and establishes a different residence homestead within the same county, city or town. A county, city, or town that establishes a tax limitation must comply with a law providing for the transfer of the limitation, even if the Legislature enacts the law subsequent to the county's, city's, or town's establishment of the limitation. The resolution provides that taxes otherwise limited by a county, city, or town may be increased to the extent the value of the homestead is increased by improvements, other than repairs or improvements made to comply with governmental requirements, and except as may be consistent with the transfer of a tax limitation. The resolution prohibits a governing body from repealing or rescinding a tax limitation.

### **FOR ELECTION**

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003.

## SUMMARY OF COMMITTEE ACTION

HJR 16

March 13, 2003      8:00AM

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 14, 2003      8:00AM

Considered in public hearing

Reported favorably without amendment(s)

WITNESS LIST

HJR 16  
HOUSE COMMITTEE REPORT  
Local Government Ways and Means Committee

March 13, 2003 - 8:00AM

For:	Carter, Jim (Self)
	Cummings, Bill (Texas Silver Haired Legislator)
	Lee, Donald (Texas Conference of Urban Counties)
	Shields, Cory (Self)
	Taylor, Charlotte (Self)
	Turner, Lucille (Self and Seniors)
	Wentworth, Zevertine A. (Self)
Against:	Lavine, Dick (Center for Public Policy Priorities)
	McDaniel, Mark (City of Corpus Christi, TX)
	Nitschke, Milo (City of San Antonio)
On:	Scheps, Philip (City of Houston)



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 12, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR16, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Probable Revenue Gain/ (Loss) from <i>Cities</i>	Probable Revenue Gain/ (Loss) from <i>Counties</i>
2004	(\$85,275)	\$0	\$0
2005	\$0	(\$9,853,000)	(\$5,646,000)
2006	\$0	(\$10,444,000)	(\$5,985,000)
2007	\$0	(\$11,071,000)	(\$6,344,000)
2008	\$0	(\$11,735,000)	(\$6,725,000)

**Fiscal Analysis**

The resolution would propose an amendment to authorize counties, cities, and towns to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least five percent of the registered voters in a city or county. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.

**Methodology**

It is assumed that all cities and counties would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

**Local Government Impact**

The fiscal impact to units of local government are shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

6

LIST OF HOUSE AMENDMENTS CONSIDERED TODAY  
HJR16-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Gutierrez	Amendment	Adopted
2	Gutierrez	Amendment	Adopted

ADOPTED



782R07

MAY 02 2003

JK CR Robert J. Gutierrez  
Chief Clerk  
House of Representatives

FLOOR AMENDMENT NO. (1)

BY: Gutierrez

Amend H.J.R. No. 16 as follows:

✓(1) On page 1, line 7, strike "a county or a city or town"  
and substitute "a county, a city or town, or a junior college  
district".

1) insert

✓(2) On page 1, line 11, strike "the county or the city or  
town" and substitute "the county, the city or town, or the junior  
college district".

2) insert

✓(3) On page 1, lines 16 and 17, strike "of the county or of  
the city or town" and substitute "of the county, the city or town,  
or the junior college district".

3) insert

✓(4) On page 1, line 17, after "the governing body of",  
strike "the county or the city or town" and substitute "the county,  
the city or town, or the junior college district".

4) insert

✓(5) On page 1, lines 19 and 20, strike "a county or a city or  
town" and substitute "a county, a city or town, or a junior college  
district".

5) insert

✓(6) On page 1, line 24, strike "the county or the city or  
town" and substitute "the county, the city or town, or the junior  
college district".

6) insert

✓(7) On page 2, strike lines 8 and 9 and substitute "the same  
county, within the same city or town, or within the same junior  
college district. A county, a city or town, or a junior college  
district that establishes a tax limitation under this subsection".

7) insert

✓(8) On page 2, lines 11 and 12, strike "the county's or the  
city or town's" and substitute "the county's, the city or town's, or  
the junior college district's".

8) insert

✓(9) On page 2, line 13, strike "a county or a city or town"  
and substitute "a county, a city or town, or a junior college  
district".

9) insert

1 ✓ (10) On page 2, line 19, strike "county or a city or town"  
2 and substitute "county, a city or town, or a junior college" <sup>insert</sup> (10)  
3 district"  
4 ✓ (11) On page 2, line 25, strike "cities, and towns" and  
5 substitute "cities and towns, and junior college districts".

ADOPTED

MAY 02 2003

Robert Hanger  
Chief Clerk  
House of Representatives



782210

FLOOR AMENDMENT NO. (2)

BY: Gutierrez

Amend H.J.R. No. 16 as follows:

✓(1) On page 1, line 8, between "a person" and "sixty-five", insert "who is disabled or is".

✓(2) On page 1, line 13, between "who is" and "sixty-five", insert "disabled or".

✓(3) On page 1, line 21, strike "and a person" and substitute "and a disabled person or a person".

✓(4) On page 2, strike line 26 and substitute "residence homesteads of the disabled and of the elderly and their spouses." (insert 13))

# HOUSE ENGROSSMENT

By: Brown of Brazos, Brown of Kaufman,  
Gattis, Chavez, Baxter, et al.

f  
H.J.R. No. 16

## A JOINT RESOLUTION

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LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 12, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
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All Funds, Five-Year Impact:

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2007	\$0	(\$11,071,000)	(\$6,344,000)
2008	\$0	(\$11,735,000)	(\$6,725,000)

Fiscal Analysis

The resolution would propose an amendment to authorize counties, cities, and towns to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least five percent of the registered voters in a city or county. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.

**Methodology**

It is assumed that all cities and counties would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

**Local Government Impact**

The fiscal impact to units of local government are shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

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**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

1-1 By: Brown of Brazos, et al.

H.J.R. No. 16

1-2 (Senate Sponsor - Nelson)

1-3 (In the Senate - Received from the House May 5, 2003;  
1-4 May 7, 2003, read first time and referred to Subcommittee on Higher  
1-5 Education; May 8, 2003, rereferred to Committee on Finance;  
1-6 May 23, 2003, reported adversely, with favorable Committee  
1-7 Substitute by the following vote: Yeas 13, Nays 0; May 23, 2003,  
1-8 sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR H.J.R. No. 16

By: Nelson

1-10 HOUSE JOINT RESOLUTION

1-11 proposing a constitutional amendment to authorize a county, a city  
1-12 or town, or a junior college district to establish an ad valorem tax  
1-13 freeze on residence homesteads of the disabled and of the elderly  
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1-25 residence homestead of that person or that person's spouse who is  
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1-29 registered voters of the county, the city or town, or the junior  
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1-32 determine by majority vote whether to establish a tax limitation  
1-33 provided by this subsection. If a county, a city or town, or a  
1-34 junior college district establishes a tax limitation provided by  
1-35 this subsection and a disabled person or a person sixty-five (65)  
1-36 years of age or older dies in a year in which the person received a  
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1-40 residence homestead of that person's surviving spouse if the spouse  
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1-50 with a law providing for the transfer of the limitation, even if the  
1-51 legislature enacts the law subsequent to the county's, the city's or  
1-52 town's, or the junior college district's establishment of the  
1-53 limitation. Taxes otherwise limited by a county, a city or town, or  
1-54 a junior college district under this subsection may be increased to  
1-55 the extent the value of the homestead is increased by improvements  
1-56 other than repairs and other than improvements made to comply with  
1-57 governmental requirements and except as may be consistent with the  
1-58 transfer of a tax limitation under a law authorized by this  
1-59 subsection. The governing body of a county, a city or town, or a  
1-60 junior college district may not repeal or rescind a tax limitation  
1-61 established under this subsection.

1-62 SECTION 2. This proposed constitutional amendment shall be  
1-63 submitted to the voters at an election to be held on September 13,

2-1 2003. The ballot shall be printed to provide for voting for or  
2-2 against the proposition: "The constitutional amendment to permit  
2-3 counties, cities and towns, and junior college districts to  
2-4 establish an ad valorem tax freeze on residence homesteads of the  
2-5 disabled and of the elderly and their spouses."

2-6

\* \* \* \* \*

FAVORABLY AS SUBSTITUTED  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 16  
By Nelson  
(Author/Senate Sponsor)  
5-29-03  
(date)

Sir:

We, your Committee on FINANCE, to which was referred the attached measure,  
have on 5-22-03, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed  
☒ the caption remained the same as original measure  
☐ the caption changed with adoption of the substitute  
  
☐ do pass as substituted, and be ordered not printed  
☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no  
A revised fiscal note was requested. ☒ yes ☐ no  
An actuarial analysis was requested. ☐ yes ☒ no  
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Bivins, Chair	<input checked="" type="checkbox"/>			
Senator Zaffirini, Vice Chair	<input checked="" type="checkbox"/>			
Senator Averitt	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Brimer	<input checked="" type="checkbox"/>			
Senator Duncan	<input checked="" type="checkbox"/>			
Senator Janek			<input checked="" type="checkbox"/>	
Senator Nelson	<input checked="" type="checkbox"/>			
Senator Ogden	<input checked="" type="checkbox"/>			
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Shapleigh	<input checked="" type="checkbox"/>			
Senator Staples			<input checked="" type="checkbox"/>	
Senator West	<input checked="" type="checkbox"/>			
Senator Whitmire	<input checked="" type="checkbox"/>			
Senator Williams	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>13</u>		<u>2</u>	

COMMITTEE ACTION

S260 Considered in public hearing  
S270 Testimony taken

Stephanie Hoover  
COMMITTEE CLERK

Bini  
CHAIR

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute  
Retain one copy of this form for Committee files



WITNESS LIST

HJR 16

SENATE COMMITTEE REPORT

Finance

May 22, 2003 - 8:00AM

AGAINST: Lavine, Dick Fiscal Analyst (Center for Public Policy Priorities), Austin, TX

Registering, but not testifying:

AGAINST: Mendez, Mark Asst. County Administrator (Tarrant County Commissioners Court), Ft. Worth, TX

ON: Lee, Donald Executive Director (Tx Conference of Urban Counties), Austin, TX

## **BILL ANALYSIS**

Senate Research Center  
78R17373 JD-F

C.S.H.J.R. 16  
By: Brown, Fred (Nelson)  
Finance  
5/23/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

In 1978, Texas citizens voted to freeze the amount of ad valorem taxes on homesteads of the elderly. In 1988, Texas citizens voted to extend the ad valorem tax freeze to surviving spouses of the elderly and to allow the elderly and their surviving spouses to port their tax freeze of ad valorem taxation from one taxing jurisdiction to another. The freeze on such taxes only applies to taxes imposed by school districts. C.S.H.J.R. 16 proposes a constitutional amendment to provide a local option for a county or municipality to adopt an ad valorem tax limitation on homesteads of the elderly and their surviving spouses.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1-b, Article VIII, Texas Constitution, by adding Subsection (h), as follows:

(h) Authorizes the governing body of a county, a city or town, or a junior college district by official action to provide that if a person who is disabled or is sixty-five (65) years of age or older receives a residence homestead exemption prescribed or authorized by this section, the total amount of ad valorem taxes imposed on that homestead by the county, the city or town, or the junior college district may not be increased while it remains the residence homestead of that person or that person's spouse who is disabled or sixty-five (65) years of age or older and receives a residence homestead exemption on the homestead. Requires the city or town, or the junior college district, the governing body of the county, the city or town, or the junior college, district, as an alternative, on receipt of a petition signed by five percent (5%) of the registered voters of the county, to call an election to determine by majority vote whether to establish a tax limitation provided by this subsection. Prohibits the total amount of ad valorem taxes imposed by the county, the city or town, or the junior college district from being increased while it remains the residence homestead of that person's surviving spouse if the spouse is fifty-five (55) years of age or older at the time of the person's death, subject to any exceptions provided by general law, if a county, a city or town, or a junior college district establishes a tax limitation provided by this subsection and a disabled person or a person sixty-five (65) years of age or older dies in a year in which the person received a residence homestead exemption. Authorizes the legislature, by general law, to provide for the transfer of all or a proportionate amount of a tax limitation provided by this subsection for a person who qualifies for the limitation and establishes a different residence homestead within the same county, within the same city or town, or within the same junior college district. Requires a county, a city or town, or a junior college district that establishes a tax limitation under this subsection to comply with a law providing for the transfer of the limitation, even if the legislature enacts the law subsequent to the county's, the city or town's, or the junior college district's establishment of the limitation. Authorizes taxes otherwise limited by a county, a city or town, or a junior college district under this subsection to be increased to the extent the value of the homestead is increased by

improvements other than repairs and other than improvements made to comply with governmental requirements and except as may be consistent with the transfer of a tax limitation under a law authorized by this subsection. Prohibits the governing body of a county, a city or town, or a junior college district from repealing or rescinding a tax limitation established under this subsection.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held on September 13, 2003. Requires the ballot to be printed to provide for voting for or against the proposition: "The constitutional amendment to permit counties, cities and towns, and junior college districts to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses."

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 22, 2003**

**TO:** Honorable Teel Bivins, Chair, Senate Committee on Finance

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county, a city or town, or a junior college district to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HJR16, Committee Report 2nd House, Substituted: a negative impact of (\$475,584) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$475,584)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Revenue (Loss) from Cities	Probable Revenue (Loss) from Counties
2004	(\$475,584)	\$0	\$0
2005	\$0	(\$10,835,000)	(\$6,209,000)
2006	\$0	(\$11,486,000)	(\$6,582,000)
2007	\$0	(\$12,175,000)	(\$6,977,000)
2008	\$0	(\$12,905,000)	(\$7,396,000)

**Fiscal Analysis**

The resolution would propose an amendment to authorize counties, cities, and towns, and junior college districts to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption and for disabled individuals. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least 5 percent of the registered voters in a county or city. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held September 13, 2003.

**Methodology**

It is assumed that all cities, counties and junior college districts would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

According to the Secretary of State, presenting one constitutional amendment on a ballot results in higher costs because economies of scales are lost. The estimated cost of \$475,584 would include \$314,062 for postage, \$50,872 for printing, \$110,500 for newspaper advertising, and \$150 for translation costs. According to the Secretary of State, these costs are similar to those experienced in November 2002 when one constitutional amendment was presented to voters.

**Local Government Impact**

The fiscal impact to counties and cities are shown in the above tables. In addition to these amounts, property tax revenues for junior college districts would be reduced.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, SD, CT, WP, DLBe

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 9, 2003

TO: Honorable Teel Bivins, Chair, Senate Committee on Finance

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR16 by Brown, Fred (Proposing a constitutional amendment to authorize a county, a city or town, or a junior college district to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HJR16. As Engrossed: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Revenue (Loss) from Cities	Probable Revenue (Loss) from Counties
2004	(\$85,275)	\$0	\$0
2005	\$0	(\$10,835,000)	(\$6,209,000)
2006	\$0	(\$11,486,000)	(\$6,582,000)
2007	\$0	(\$12,175,000)	(\$6,977,000)
2008	\$0	(\$12,905,000)	(\$7,396,000)

Fiscal Analysis

The resolution would propose an amendment to authorize counties, cities, and towns, and junior college districts to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption and for disabled individuals. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least 5 percent of the registered voters in a county or city. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.

## **Methodology**

It is assumed that all cities, counties and junior college districts would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The fiscal impact to counties and cities are shown in the above tables. In addition to these amounts, property tax revenues for junior college districts would be reduced.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, SD, CT, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 12, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds for HJR16, As Introduced:** a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Probable Revenue Gain/ (Loss) from <i>Cities</i>	Probable Revenue Gain/ (Loss) from <i>Counties</i>
2004	(\$85,275)	\$0	\$0
2005	\$0	(\$9,853,000)	(\$5,646,000)
2006	\$0	(\$10,444,000)	(\$5,985,000)
2007	\$0	(\$11,071,000)	(\$6,344,000)
2008	\$0	(\$11,735,000)	(\$6,725,000)

**Fiscal Analysis**

The resolution would propose an amendment to authorize counties, cities, and towns to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least five percent of the registered voters in a city or county. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.



**Methodology**

It is assumed that all cities and counties would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

**Local Government Impact**

The fiscal impact to units of local government are shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

# REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HJR 116, by Nelson,  
(Bill No.) (Author/Sponsor)

was heard by the Committee on Finance on 5-22, 2003,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Stephan Hoover  
(Clerk of the reporting committee)

**IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**

ADOPTED

MAY 27 2003

*Letty Spaul*  
Secretary of the Senate

By: Nelson

H.J.R. No. 16

Substitute the following for H.J.R. No. 16:

By: Nelson

C.S. ~~H.~~J.R. No. 16

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize a county, a city  
2 or town, or a junior college district to establish an ad valorem tax  
3 freeze on residence homesteads of the disabled and of the elderly  
4 and their spouses.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1-b, Article VIII, Texas Constitution,  
7 is amended by adding Subsection (h) to read as follows:

8 (h) The governing body of a county, a city or town, or a  
9 junior college district by official action may provide that if a  
10 person who is disabled or is sixty-five (65) years of age or older  
11 receives a residence homestead exemption prescribed or authorized  
12 by this section, the total amount of ad valorem taxes imposed on  
13 that homestead by the county, the city or town, or the junior  
14 college district may not be increased while it remains the  
15 residence homestead of that person or that person's spouse who is  
16 disabled or sixty-five (65) years of age or older and receives a  
17 residence homestead exemption on the homestead. As an alternative,  
18 on receipt of a petition signed by five percent (5%) of the  
19 registered voters of the county, the city or town, or the junior  
20 college district, the governing body of the county, the city or  
21 town, or the junior college district shall call an election to  
22 determine by majority vote whether to establish a tax limitation  
23 provided by this subsection. If a county, a city or town, or a  
24 junior college district establishes a tax limitation provided by

1 this subsection and a disabled person or a person sixty-five (65)  
2 years of age or older dies in a year in which the person received a  
3 residence homestead exemption, the total amount of ad valorem taxes  
4 imposed on the homestead by the county, the city or town, or the  
5 junior college district may not be increased while it remains the  
6 residence homestead of that person's surviving spouse if the spouse  
7 is fifty-five (55) years of age or older at the time of the person's  
8 death, subject to any exceptions provided by general law. The  
9 legislature, by general law, may provide for the transfer of all or  
10 a proportionate amount of a tax limitation provided by this  
11 subsection for a person who qualifies for the limitation and  
12 establishes a different residence homestead within the same county,  
13 within the same city or town, or within the same junior college  
14 district. A county, a city or town, or a junior college district  
15 that establishes a tax limitation under this subsection must comply  
16 with a law providing for the transfer of the limitation, even if the  
17 legislature enacts the law subsequent to the county's, the city's or  
18 town's, or the junior college district's establishment of the  
19 limitation. Taxes otherwise limited by a county, a city or town, or  
20 a junior college district under this subsection may be increased to  
21 the extent the value of the homestead is increased by improvements  
22 other than repairs and other than improvements made to comply with  
23 governmental requirements and except as may be consistent with the  
24 transfer of a tax limitation under a law authorized by this  
25 subsection. The governing body of a county, a city or town, or a  
26 junior college district may not repeal or rescind a tax limitation  
27 established under this subsection.

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held on September 13,  
3 2003. The ballot shall be printed to provide for voting for or  
4 against the proposition: "The constitutional amendment to permit  
5 counties, cities and towns, and junior college districts to  
6 establish an ad valorem tax freeze on residence homesteads of the  
7 disabled and of the elderly and their spouses."

# SENATE AMENDMENTS

92 MAY 27 PM 7: 05  
HOUSE OF REPRESENTATIVES

2<sup>nd</sup> Printing

By: Brown of Brazos, Brown of Kaufman,  
Gattis, Chavez, Baxter, et al.

H.J.R. No. 16

## A JOINT RESOLUTION

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15 residence homestead of that person or that person's spouse who is  
16 disabled or sixty-five (65) years of age or older and receives a  
17 residence homestead exemption on the homestead. As an alternative,  
18 on receipt of a petition signed by five percent (5%) of the  
19 registered voters of the county, the city or town, or the junior  
20 college district, the governing body of the county, the city or  
21 town, or the junior college district shall call an election to  
22 determine by majority vote whether to establish a tax limitation  
23 provided by this subsection. If a county, a city or town, or a  
24 junior college district establishes a tax limitation provided by

1 this subsection and a disabled person or a person sixty-five (65)  
2 years of age or older dies in a year in which the person received a  
3 residence homestead exemption, the total amount of ad valorem taxes  
4 imposed on the homestead by the county, the city or town, or the  
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6 residence homestead of that person's surviving spouse if the spouse  
7 is fifty-five (55) years of age or older at the time of the person's  
8 death, subject to any exceptions provided by general law. The  
9 legislature, by general law, may provide for the transfer of all or  
10 a proportionate amount of a tax limitation provided by this  
11 subsection for a person who qualifies for the limitation and  
12 establishes a different residence homestead within the same county,  
13 within the same city or town, or within the same junior college  
14 district. A county, a city or town, or a junior college district  
15 that establishes a tax limitation under this subsection must comply  
16 with a law providing for the transfer of the limitation, even if the  
17 legislature enacts the law subsequent to the county's, the city or  
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27 established under this subsection.



1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held on November 4,  
3 2003. The ballot shall be printed to provide for voting for or  
4 against the proposition: "The constitutional amendment to permit  
5 counties, cities and towns, and junior college districts to  
6 establish an ad valorem tax freeze on residence homesteads of the  
7 disabled and of the elderly and their spouses."

# ADOPTED

MAY 27 2003

*Atty. Gen. Spaul*  
Secretary of the Senate

By: Nelson

H.J.R. No. 16

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By: Nelson

C.S. H.J.R. No. 16

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6 establish an ad valorem tax freeze on residence homesteads of the  
7 disabled and of the elderly and their spouses."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 22, 2003

TO: Honorable Teel Bivins, Chair, Senate Committee on Finance

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county, a city or town, or a junior college district to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds for HJR16, Committee Report 2nd House, Substituted:** a negative impact of (\$475,584) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$475,584)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

### All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Revenue (Loss) from Cities	Probable Revenue (Loss) from Counties
2004	(\$475,584)	\$0	\$0
2005	\$0	(\$10,835,000)	(\$6,209,000)
2006	\$0	(\$11,486,000)	(\$6,582,000)
2007	\$0	(\$12,175,000)	(\$6,977,000)
2008	\$0	(\$12,905,000)	(\$7,396,000)

### Fiscal Analysis

The resolution would propose an amendment to authorize counties, cities, and towns, and junior college districts to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption and for disabled individuals. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least 5 percent of the registered voters in a county or city. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held September 13, 2003.

## **Methodology**

It is assumed that all cities, counties and junior college districts would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

According to the Secretary of State, presenting one constitutional amendment on a ballot results in higher costs because economies of scales are lost. The estimated cost of \$475,584 would include \$314,062 for postage, \$50,872 for printing, \$110,500 for newspaper advertising, and \$150 for translation costs. According to the Secretary of State, these costs are similar to those experienced in November 2002 when one constitutional amendment was presented to voters.

## **Local Government Impact**

The fiscal impact to counties and cities are shown in the above tables. In addition to these amounts, property tax revenues for junior college districts would be reduced.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, SD, CT, WP, DLBe

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 9, 2003

TO: Honorable Teel Bivins, Chair, Senate Committee on Finance

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR16 by Brown, Fred (Proposing a constitutional amendment to authorize a county, a city or town, or a junior college district to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds for HJR16, As Engrossed:** a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Revenue (Loss) from Cities	Probable Revenue (Loss) from Counties
2004	(\$85,275)	\$0	\$0
2005	\$0	(\$10,835,000)	(\$6,209,000)
2006	\$0	(\$11,486,000)	(\$6,582,000)
2007	\$0	(\$12,175,000)	(\$6,977,000)
2008	\$0	(\$12,905,000)	(\$7,396,000)

**Fiscal Analysis**

The resolution would propose an amendment to authorize counties, cities, and towns, and junior college districts to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption and for disabled individuals. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least 5 percent of the registered voters in a county or city. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.

## **Methodology**

It is assumed that all cities, counties and junior college districts would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The fiscal impact to counties and cities are shown in the above tables. In addition to these amounts, property tax revenues for junior college districts would be reduced.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, SD, CT, WP, DLBe



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 12, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR16, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND I	Probable Revenue Gain/ (Loss) from Cities	Probable Revenue Gain/ (Loss) from Counties
2004	(\$85,275)	\$0	\$0
2005	\$0	(\$9,853,000)	(\$5,646,000)
2006	\$0	(\$10,444,000)	(\$5,985,000)
2007	\$0	(\$11,071,000)	(\$6,344,000)
2008	\$0	(\$11,735,000)	(\$6,725,000)

**Fiscal Analysis**

The resolution would propose an amendment to authorize counties, cities, and towns to adopt a property tax limitation for persons qualified for the 65-and-over residence homestead exemption. The limitation could be adopted by a commissioner's court or a city council or through an election triggered by petition of at least five percent of the registered voters in a city or county. Once adopted, a city or county could not repeal or rescind the limitation.

The proposed amendment would be submitted to voters at an election to be held November 4, 2003.

**Methodology**

It is assumed that all cities and counties would adopt the proposed limitation in the 2004 tax year following adoption of the proposed amendment.

The cost to the state for publication of the resolution is \$85,275.

**Local Government Impact**

The fiscal impact to units of local government are shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR16** by Brown, Fred (Proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

ENROLLED

H.J.R. No. 16

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize a county, a city  
2 or town, or a junior college district to establish an ad valorem tax  
3 freeze on residence homesteads of the disabled and of the elderly  
4 and their spouses.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1-b, Article VIII, Texas Constitution,  
7 is amended by adding Subsection (h) to read as follows:

8 (h) The governing body of a county, a city or town, or a  
9 junior college district by official action may provide that if a  
10 person who is disabled or is sixty-five (65) years of age or older  
11 receives a residence homestead exemption prescribed or authorized  
12 by this section, the total amount of ad valorem taxes imposed on  
13 that homestead by the county, the city or town, or the junior  
14 college district may not be increased while it remains the  
15 residence homestead of that person or that person's spouse who is  
16 disabled or sixty-five (65) years of age or older and receives a  
17 residence homestead exemption on the homestead. As an alternative,  
18 on receipt of a petition signed by five percent (5%) of the  
19 registered voters of the county, the city or town, or the junior  
20 college district, the governing body of the county, the city or  
21 town, or the junior college district shall call an election to  
22 determine by majority vote whether to establish a tax limitation  
23 provided by this subsection. If a county, a city or town, or a  
24 junior college district establishes a tax limitation provided by

1 this subsection and a disabled person or a person sixty-five (65)  
2 years of age or older dies in a year in which the person received a  
3 residence homestead exemption, the total amount of ad valorem taxes  
4 imposed on the homestead by the county, the city or town, or the  
5 junior college district may not be increased while it remains the  
6 residence homestead of that person's surviving spouse if the spouse  
7 is fifty-five (55) years of age or older at the time of the person's  
8 death, subject to any exceptions provided by general law. The  
9 legislature, by general law, may provide for the transfer of all or  
10 a proportionate amount of a tax limitation provided by this  
11 subsection for a person who qualifies for the limitation and  
12 establishes a different residence homestead within the same county,  
13 within the same city or town, or within the same junior college  
14 district. A county, a city or town, or a junior college district  
15 that establishes a tax limitation under this subsection must comply  
16 with a law providing for the transfer of the limitation, even if the  
17 legislature enacts the law subsequent to the county's, the city's or  
18 town's, or the junior college district's establishment of the  
19 limitation. Taxes otherwise limited by a county, a city or town, or  
20 a junior college district under this subsection may be increased to  
21 the extent the value of the homestead is increased by improvements  
22 other than repairs and other than improvements made to comply with  
23 governmental requirements and except as may be consistent with the  
24 transfer of a tax limitation under a law authorized by this  
25 subsection. The governing body of a county, a city or town, or a  
26 junior college district may not repeal or rescind a tax limitation  
27 established under this subsection.

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held on September 13,  
3 2003. The ballot shall be printed to provide for voting for or  
4 against the proposition: "The constitutional amendment to permit  
5 counties, cities and towns, and junior college districts to  
6 establish an ad valorem tax freeze on residence homesteads of the  
7 disabled and of the elderly and their spouses."

H.J.R. No. 16

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President of the Senate

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Speaker of the House

I certify that H.J.R. No. 16 was passed by the House on May 2, 2003, by the following vote: Yeas 143, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 16 on May 29, 2003, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

H.J.R. No. 16

I certify that H.J.R. No. 16 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 27, Nays 0.

---

Secretary of the Senate

RECEIVED: \_\_\_\_\_  
Date

---

Secretary of State



\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.J.R. No. 16<sup>(1)</sup> was passed by the House  
on May 2<sup>(2)</sup>, 2003, by the following vote:  
Yeas 143<sup>(3)</sup>, Nays 0<sup>(4)</sup>, 1 present, not voting;  
and that the House concurred in Senate amendments to H.J.R. No. 16  
on May 29<sup>(5)</sup>, 2003, by the following  
vote: Yeas 139<sup>(6)</sup>, Nays 0<sup>(7)</sup>, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: CT19;

I certify that H.J.R. No. 16<sup>(1)</sup> was passed by the Senate, with  
amendments, on May 27<sup>(2)</sup>, 2003, by the following  
vote: Yeas 27<sup>(3)</sup>, Nays 0<sup>(4)</sup>.

\_\_\_\_\_  
Secretary of the Senate

RECEIVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of State

\*\*\*\* Preparation: CT20;

# 78TH LEGISLATURE

## COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form in lieu of the front or the back of the original bill)

Bill or Resolution Number: HJR 16

Fred Brown

FRED BROWN

3/4/03

signature of primary author

printed name of primary author

Date

PERMISSION TO SIGN HJR 16 HAS BEEN GIVEN TO (check only one of the following):  
(bill or resolution #)

☒ ALL REPRESENTATIVES

☐ THE FOLLOWING REPRESENTATIVE(S):

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>[Signature]</u> A2115 Allen	Date	<u>[Signature]</u> A2450 Cook, Byron	Date	<u>[Signature]</u> A2795 Farabee	Date
<u>[Signature]</u> A2125 Alonzo	Date	<u>[Signature]</u> A2665 Cook, Robert "Robby"	Date	<u>[Signature]</u> A2810 Farrar	Date
A2160 Bailey	Date	<u>[Signature]</u> A2595 Corne	Date	<u>[Signature]</u> A2840 Flores	Date
A2170 Baxter	Date	<u>[Signature]</u> A2605 Crabb	Date	<u>[Signature]</u> A2850 Flynn	Date
A2205 Berman	Date	<u>[Signature]</u> A2610 Craddock	Date	A2920 Gallego	Date
A2230 Bonac	Date	<u>[Signature]</u> A2640 Crownover	Date	A2925 Garza	Date
<u>[Signature]</u> A2250 Bonnen	Date	<u>[Signature]</u> A2620 Davis, John	Date	A2960 Gattis	Date
<u>[Signature]</u> A2260 Branch	Date	<u>[Signature]</u> A2675 Davis, Yvonne	Date	A2945 Geren	Date
<u>[Signature]</u> A2265 Brown, Betty	Date	<u>[Signature]</u> A2635 Dawson	Date	<u>[Signature]</u> A2935 Giddings	Date
<u>[Signature]</u> A2270 Brown, Fred	Date	<u>[Signature]</u> A2680 Delisi	Date	<u>[Signature]</u> A2985 Goodman	Date
A2255 Burnam	Date	<u>[Signature]</u> A3385 Denny	Date	<u>[Signature]</u> A2990 Goodby	Date
<u>[Signature]</u> A2295 Callegari	Date	<u>[Signature]</u> A2690 Deshotel	Date	<u>[Signature]</u> A3010 Griggs	Date
A2290 Campbell	Date	<u>[Signature]</u> A2705 Driver	Date	A3020 Grusendorf	Date
<u>[Signature]</u> A2290 Canales	Date	A2665 Dukes	Date	A3045 Guillen	Date
<u>[Signature]</u> A2300 Caprio	Date	A2660 Dunnam	Date	A3030 Gutierrez	Date
A2490 Casteel	Date	<u>[Signature]</u> A2650 Dutton	Date	A3035 Haggerty	Date
A2495 Castro	Date	<u>[Signature]</u> A2790 Edwards	Date	A3050 Hamilton	Date
A2585 Chavez	Date	<u>[Signature]</u> A2775 Eiland	Date	A2695 Hamrick	Date
<u>[Signature]</u> A2480 Chism	Date	<u>[Signature]</u> A2780 Eissler	Date	A2150 Hardcastle	Date
<u>[Signature]</u> A2520 Christian	Date	A2785 Elkins	Date	<u>[Signature]</u> A3165 Harper-Brown	Date
A2435 Coleman	Date	<u>[Signature]</u> A2790 Ellis	Date	A3170 Hartnett	Date

A3180 Heflin	Date	A3715 Madden	Date	A4250 Ritter	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4/14/03	
A3190 Hegar	Date	A3750 Marchant	Date	A4270 Rodriguez	Date
A3250 Hilderbran	Date	A2835 Martinez Fischer	Date	A4350 Rose	Date
A3275 Hill	Date	A3665 McCall	Date	A4420 Seaman	Date
A3305 Hochberg	Date	A3850 McClendon	Date	A4525 Smith, Todd	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4540 Smith, Wayne	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 3/11/03			
A3325 Homer	Date	A3830 Menendez	Date	A4530 Smithee	Date
<i>[Signature]</i>					
A3320 Hope	Date	A3815 Mercer	Date	A4550 Solis	Date
				<i>[Signature]</i> 4/14/03	
A3330 Hopson	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3375 Howard	Date	A3835 Miller	Date	A4560 Stick	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4-14-03			
A3340 Hughes	Date	A3855 Moreno, Joe	Date	A4570 Swinford	Date
<i>[Signature]</i> 03/11/03				<i>[Signature]</i> 03/11/2003	
A3355 Hunter	Date	A3860 Moreno, Paul	Date	A4585 Talton	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4-14-03		<i>[Signature]</i> 4/14/03	
A3360 Hupp	Date	A3870 Morrison	Date	A4600 Taylor	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i>			
A3375 Isett	Date	A3865 Mowery	Date	A4605 Telford	Date
<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4-14-03		<i>[Signature]</i> 04/14/03	
A3405 Jones, Delwin	Date	A3885 Naishat	Date	A4630 Thompson	Date
<i>[Signature]</i> 03/11/03		<i>[Signature]</i> 4-14-03			
A3420 Jones, Elizabeth	Date	A3895 Nixon	Date	A4650 Truitt	Date
<i>[Signature]</i>		<i>[Signature]</i> 3-11-03		<i>[Signature]</i>	
A3400 Jones, Jesse	Date	A3900 Noriega	Date	A4685 Turner	Date
		<i>[Signature]</i>			
A3475 Keel	Date	A3880 Oliveira	Date	A4695 Ure	Date
<i>[Signature]</i>				<i>[Signature]</i> 3-12-03	
A3410 Keffer, Bill	Date	A3886 Olivo	Date	A4700 Van Arsdale	Date
A3450 Ketter, Jim	Date	A4100 Patton	Date	A4800 Villarreal	Date
<i>[Signature]</i> 3/21/03		<i>[Signature]</i> 4-14-03		<i>[Signature]</i> 4-14-03	
A3470 King	Date	A4140 Pena	Date	A4995 West	Date
<i>[Signature]</i> 3-14-03		<i>[Signature]</i>			
A3495 Kolkhorst	Date	A4180 Pickett	Date	A5000 Wilson	Date
		<i>[Signature]</i> 4/14/03		<i>[Signature]</i> 4/24/03	
A3485 Krusee	Date	A4185 Pitts	Date	A5020 Wise	Date
<i>[Signature]</i> 4/14/03				<i>[Signature]</i> 4/14/03	
A3450 Kuempel	Date	A4200 Puente	Date	A5015 Wohlgemuth	Date
<i>[Signature]</i>		<i>[Signature]</i> 3/11/03			
A3510 Laney	Date	A4240 Quintanilla	Date	A4980 Wolens	Date
<i>[Signature]</i> 4/14/03				<i>[Signature]</i> 4-14-03	
A3540 Laubenberg	Date	A4240 Rangel	Date	A4985 Wong	Date
A3605 Lewis	Date	A4215 Raymond	Date	A5005 Woolley	Date
<i>[Signature]</i> 4-14-03		<i>[Signature]</i> 4-14-03		<i>[Signature]</i> 4/14/03	
A3620 Luna	Date	A4236 Reyna	Date	A5150 Zedler	Date
A3700 Mabry	Date	A4220 Riddle	Date	A2700 District 62	Date

for chief clerk use only

Bill or Resolution Number:

HJR-16

## JOINT AUTHOR AUTHORIZATION

As primary author of HJR-16 I hereby authorize the following joint author(s):  
(bill or resolution #)

Betty Brown  
printed name of joint author #1

Betty Brown  
signature of joint author #1

Dan Carls  
printed name of joint author #2

1-23-03  
Dan Carls  
signature of joint author #2

~~DONNA CHAVEZ~~  
printed name of joint author #3

~~Donna Chavez~~  
signature of joint author #3

3/28/03

Todd Baxter  
printed name of joint author #4

Todd Baxter  
signature of joint author #4

5/1/30

Paul Brown  
signature of primary author

1-23-03  
date

H.J.R. No. 16

By Yael Brown

proposing a constitutional amendment to authorize a county or a city or town to establish an ad valorem tax freeze on residence homesteads of the elderly and their spouses.

NOV 12 2002 Filed with the Chief Clerk

FEB 10 2003 Read first time and referred to Committee on Local Government Ways and Means

APR 14 2003 Reported favorably (~~unfavorably~~)  
(~~amended~~)

APR 24 2003 Sent to Committee on Calendars

MAY 02 2003 Read second time (~~amended~~) (~~amended~~) and adopted (~~amended~~) by a  
record vote of 143 yeas, 0 nays, 1 present, not voting

MAY 05 2003 Read third time (amended) and finally adopted (failed of adoption) by a  
record vote of        yeas,        nays,        present, not voting

MAY 05 2003 Engrossed

MAY 05 2003 Sent to Senate

Robert Haney  
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 05 2003 Received from the House

MAY 07 2003 Read and referred to Committee on SUBCOMMITTEE ON HIGHER EDUCATION

MAY 08 2003 Rereferred to FINANCE  
Reported favorably       

MAY 23 2003 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

       Ordered not printed

       Laid before the Senate

MAY 27 2003 Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(unanimous consent) yeas,        nays)

MAY 27 2003 Read second time,       , and passed to third reading by (unanimous consent)  
(a viva voce vote) yeas,        nays)

MAY 27 2003 Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays

MAY 27 2003 Read third time,       , and passed by 31 yeas, 0 nays

May 27 2003 Returned to the House

Larry Spaw  
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 27 2003

Returned from the Senate (as substituted)  
(with amendments)

MAY 29 2003

House concurred in Senate amendments by a (non-record vote)  
(record vote of 139 yeas, 8 nays, 2 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,

Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;

Conference committee report adopted (rejected) by the House by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

03 MAY 27 PM 7:05  
HOUSE OF REPRESENTATIVES  
03 APR 23 PM 3:09  
HOUSE OF REPRESENTATIVES